

Action plan on professional equality 2021-2023

Foreword :

Since 1946, equality between women and men has been a constitutional principle on the basis of which the law guarantees equal rights for women and men in all areas.

Article 1 of the 1958 Constitution provides, in its second paragraph, that "the law shall promote equal access of women and men to electoral mandates and elective functions, as well as to professional and social responsibilities.

This principle was reiterated by the law of July 13, 1983 on the rights and obligations of civil servants in its article 6 bis: "no distinction, direct or indirect, may be made between civil servants on the basis of their sex".

Law no. 2001-397 of May 9, 2001 guarantees the principle of equal treatment between women and men with regard to access to employment, training and professional promotion, as well as working conditions.

Despite the principles laid down in the General Statute for public employees, which aim to combat discrimination and promote equal treatment of women and men, in application of the equal rights and status guaranteed to women by law, there are still persistent inequalities, both in careers, in the development of professional careers and in remuneration, and even in conditions linked to the working environment

INSA Strasbourg is determined to make real progress towards equality between women and men. The challenge is both to reaffirm the exemplary nature of public employers and to make professional equality a real lever for the transformation of the public service and the institution in the years to come.

Four areas of work have been specified by the Civil Service Transformation Act of August 6, 2019 in its Article 80, which is inserted into the Law of July 13, 1983 on the rights and obligations of public employees :

- 1- evaluate, prevent and address pay gaps
- 2- guarantee equal access to civil service bodies, job categories, grades and jobs
- 3- promote the reconciliation of professional activity and personal and family life
- 4- prevent and deal with discrimination, acts of violence, moral or sexual harassment as well as sexist behaviour.

A report will be drawn up each year on the effective implementation of the measures included in this plan. Social dialogue will play a greater role in improving the conditions and methods of management of the school's employees.

INSA Strasbourg will therefore have to present a report on the comparative situation of the general conditions of employment and training of women and men and the conditions related to the work environment. This approach was initiated by the production of gender statistics in the school's social report. These studies must be refined in order to define a minimum set of indicators with a view to professional equality. Other indicators must also be developed to monitor all dimensions

This assessment should present the respective situations of women and men in terms of recruitment, training and professional promotion, working conditions, effective remuneration and the balance between professional and personal life or the exercise of family responsibilities, discrimination, violence, harassment and sexist behavior.

Finally, it will make it possible to measure the impact of this plan.

In addition, the trade unions undertake to continue their efforts to achieve balanced representation of women and men in all bodies.

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School presentation:

Institution:

INSA Strasbourg is a public institution of a scientific, cultural and professional nature (EPSCP). The school, whose origins date back to 1875, joined the INSA Group in 2003.

A major engineering school and a school of architecture under the supervision of the Ministry of Higher Education, Research and Innovation, its engineering courses are accredited by the Commission des titres d'ingénieur, while its architecture course is accredited by the Cultural, Scientific and Technical Commission of the Ministry of Culture.

INSA Strasbourg welcomes more than 2,000 students.

Its missions are the training of engineers (civil engineering, climatic and energy engineering, electrical engineering, mechanical engineering, topography, mechatronics and plastics) and architects, high-level scientific and technological research, continuing education for engineers and technicians, and the dissemination of scientific and technical culture.

Staff :

At the beginning of the 2020 school year, the school has 259 agents for 244.65 FTE (not including 9 student contracts).

96 are female agents (37.06%) and 163 male agents (62.96%), i.e. a little more than one third are women. Concerning the non-full-time agents, 13 women and 14 men do not work full-time, but among them, 7 women (7.29%) and 2 men (1.23%) have requested to work part-time. The other non-full time positions are related to the nature of the position (PAST for example).

If we refine these gendered data at the level of the different bodies, we arrive at the following distributions:

Permanent staff :

171 agents: 56 women (33%) and 115 men (67%)

The percentage of women is therefore lower among tenured staff only.

20% of professors (67) and teachers (31) are women:

- 23% of University Professors (13)
- 20% of lecturers (54)
- 24% of secondary school teachers (26)
- 0% of ENSAM professors (5)

49% of BIATSS (73) are women:

	78% of AENES (18)	45% of ITRF (55)
Catégorie A (28)	50 % AAE (2) 0% DGS + AGCT (2) 100% INF	63 % ASI (8) – 36% IGE (11) – 0% IGR (4)
Catégorie B (25)	100 % SAENES (8)	29 % TCH (17)
Catégorie C (20)	80 % ADJENES (5)	53 % ATRF (15)

In total:

- 27% of category A employees (124) are women
- 42% of the B categories (25) are women
- 60% of the C categories (20) are women

There is therefore a clear under-representation of women in category A, although this is much less pronounced in the BIATSS field (39% compared to 20% in teaching and research), but at the same time there is an over-representation of women in categories B and C.

Contract personnel :

88 agents: 40 women (45%) and 48 men (55%).

The distribution of men and women is much more balanced from the outset.

- 38% of the teacher-researchers (18), teachers (3), readers (1) and researchers (10) are women:
- 22% of part-time associate lecturers (9)
- 100% of contractual teacher-researchers (2)
- 57% of part-time ATERs (7)
- 0% of contractual teachers (3)
- 100% of foreign language readers (1)
- 30% of contractual doctoral students (10)

- 50% of the BIATSS (56) are women :

Catégorie A (29)	0% apprentice (2) - 100 % ASI (1) – 48% IGE (21) – 40 % IGR (5)
Catégorie B (11)	45 % TCH (11)
Catégorie C (16)	63 % ATRF (16)

In total:

- 41% of category A employees (61) are women
- 45% of the B categories (11) are women
- 63% of the C categories (16) are women

The under-representation of women in category A is much less marked among non-tenured staff (41% compared to 27% among tenured staff), including the teaching and research sector (38% compared to 20% among tenured staff)

On the other hand, the same percentages are found in categories B and C.

This first snapshot confirms what everyone has observed empirically and this result will be the subject of proposals in point 2.

It should be noted, however, that recruitment through BIATSS competitions has become more balanced over the last 10 years, with 66% of successful candidates being women in category A (6 competitions) and 50% in category B (6 competitions). There is still an over-representation in category C (71% for 14 competitions, including 5 Sauvadet and 3 special schemes).

On the other hand, in teaching and research, there has been no change: only 25% of PR recruitments, 18% of MCF recruitments and 12.5% of PRAG recruitments are women.

First, we will study the salaries for equivalent grades, in order to discern the reasons for the differences that can be observed.

1- Assess, prevent and address pay gaps

While equal pay is guaranteed by the civil service statute, at the national level, there are still pay gaps between women and men in the same job category and function. These differences in pay have an impact not only during working life, but also, at the time of retirement, on the amount of pensions.

At INSA Strasbourg, the imbalance of the populations in the grades (in one direction or another) makes the exercise perilous.

We are going to look at the raw situation, then weight it with a certain number of factors that can explain the observed differences (age, access modality, seniority of corps and total seniority)

Actual situation :

First of all, the situations are different according to the bodies observed.

Teaching and research staff:

First of all, the situations are different according to the corps observed. For the population of MCFs in the normal class, we observe that the impact of gender is negligible (less than 1€ impact on the monthly salary). We find a similar profile when we perform the same operation on all the MCFs (the impact of gender is then - 3€).

If we consider all the research professors, the impact of gender is a little more significant (-69 € charged) but can be explained by the fact that one of the three university professors started her career as a research professor much later, a phenomenon that we will find in other bodies. The bonuses are not a relevant entry since they are attributed identically, with one exception, however, the doctoral and research supervision bonus (PEDR).

On this point, we observe a distortion that worsens over the years, as shown in the table below:

First, we observe a strong imbalance of candidates, with the exception of 2015, when the percentage of female candidates never exceeds a quarter (except for that year) and drops to 0 in 2019.

The candidates column lists the candidates of the campaign under consideration.

The column PEDR totals the holders in December of the considered year (the PEDR is held 4 years)

PEDR	Candidates	PEDR 2015	Candidates	PEDR 2016	Candidates	PEDR 2017	Candidates	PEDR 2018	Candidates	PEDR 2019	Candidates	PEDR 2020
Men	3	7	7	7	11	7	5	9	7	10	7	12
Of wich prime A		4		4		3		3		4		6
Women	3	4	2	4	3	3	2	4	0	4	1	4
Of wich prime A		0		1		1		1		1		0

If the number of women who have obtained the PEDR varies from one third to one quarter of the total number of laureates, this corresponds roughly to their population.

However, we observe that their proportion decreases over the years (along with their applications), and especially that the number of women whose files have been classified by the CNU among the top 20% (A) is very low (in fact equal to 0 for the last 4 years).

If we now look at the population of the second degree (we exclude the professors of ENSAM, an exclusively male body), we will find ourselves faced with the most singular situation.

Indeed, women are younger (by 1 year), have a more recent career (by almost 4 years in the corps and 2.5 years in the career) and the modalities of access to the corps are not significant.

In view of these elements, we expect a difference in remuneration, but not of 1 338 € loaded (which is half in net salary, that is to say 670 €).

The explanation is provided by the grade: half of the 20 teachers are hors classe or classe exceptionnelle (5 and 5) while only 1 out of 6 teachers is hors classe. With the corrections made on these parameters as we have done for the research teachers, the gap remains at 380 €.

Bonuses are not a relevant entry since they are allocated in the same way.

Administrative and technical staff:

Among the BIATSS, the most unequal results are found in the population of BIATSS category B (permanent and contractual) which shows a negative impact of being a woman (-333 € charged). This validates the idea of a career path more favorable to men for this population, as for teachers in secondary education.

For categories A and C, the computerized comparison tool did not provide convincing results, so we will conduct a more empirical analysis.

In category A, the most obvious inequalities are still in the grades, since all four research engineers are men.

Among the IGE (4 women, all part-time, including 3 hors-classe, and 9 men, 2 part-time, including 1 hors-classe) it is the women who obtain the best salaries (+ 427 € charged to equivalent quotient), being slightly older, with a little more seniority in grade, a little less total seniority and above all a much higher presence in the higher grade. Women are more likely to enter the civil service through external competitions than men. As far as ASIs are concerned, the data are reversed again, since men receive 639 € more (still loaded). They are older (7 years). Not surprisingly, their seniority in grade is (much) higher (10 years) as is their total seniority (6 years).

In category C, men are slightly older (1.5 years) and have an average of 4 years more seniority in grade and 8 years more total seniority. On arrival, their salary is on average 269 € higher (about 100 € net). Note also that 4 women out of 11 have gone through the reserved recruitment called "Sauvadet" against only 1 man out of 8, a competition that results in a classification in the lowest grade.
Concernant le RIFSEEP :

As with the full treatment, we will focus on bodies large enough to draw conclusions:

IFSE monthly	Women	comments	Men	comments
Catégorie C	278	1 part-time	280	
Catégorie B	401	2 part-time	428	1 part-time+ 1 PFI
ASI	512		533	1 PFI
IGE	642	100% part-time+ 1 PFI	535	6 PFI

CIA annual	Women	comments	Men	comments
Catégorie C	413	1 part-time	395	
Catégorie B	538	2 part-time	491	1 part-time
ASI	780		716	
IGE	678	100% part-time (4)	754	

Explanation of the impact of the PFI (computer function bonus) : when the RIFSEEP was created, this additional computer bonus was integrated into the monthly amount, which creates a distortion between the computer specialists and the others (however much lower than before the introduction of the IFSE). However, out of a team of 15 people at DSIN, there are 14 men.

This question aside, only part-time work reduces the amounts received by women, who would systematically receive more than men without this work method.

Concerning non-tenured BIATSS staff, thanks to the protocol for the management of non-tenured staff adopted by the school and regularly reviewed to improve it, they are managed by reference to the rules for the management of tenured staff, with a normalized progression by body and supplementary remuneration set in relation to that of tenured staff. Therefore, the same causes produce the same effects.

In category A, women receive €98 (loaded) more than men, €11 more in category B (but there are only three of them) and €180 more in category C (many more and most often with more seniority).

Non-tenured teaching and research staff do not benefit from the same protocol, but are still managed by reference to the rules for tenured staff (including for the classification of contractual teacher-researchers) unless they fall under a particular status (ATER, PAST, reader, doctoral student).

Doctoral students are still recruited at the same remuneration, but this principle is destined to change; attention should therefore be paid to this.

The statuses giving rise to classification by the school (EC contractual only female and E 2nd degree contractual only male) being unisex, there is no comparison possible.

Possible Remedies:

In general, because of the framework of remuneration specific to the civil service, it is difficult to have salary differences within the same body.

The aim here is to define strategies to eliminate the pay gaps that the school can influence.

In fact, we have observed that the most unfavorable gaps for women concern national management bodies for which the school has no leverage.

Let us add (in anticipation of point 2) that even the lever of the opinion given on the dossiers for access to the hors classe of secondary school teachers is no longer a lever, since the said opinions are now frozen (they cannot be modified for two years) during the promotion campaigns.

On the other hand, we have noted that on the levers for which the school can act, women benefit from a treatment that cannot be qualified as unfavourable.

So what can the school do?

Proposal 1.1:

Establish an annual observation of salaries

Objective: to put in place a framework to ensure equal treatment.

Indicators: measurement of pay gaps, by category and gender (2021 then annual)

Proposal 1.2:

Implement an annual observation of BIATSS bonuses.

Objective: ensure that equal treatment is maintained.

Indicators: measure the differences in the amount of bonuses, compared by category and gender (2021 then annual)

Proposal 1.3:

Implement a management protocol for non-tenured teaching and research staff based on the BIATSS model (excluding special statutes).

Objective: to put in place a framework that guarantees equal treatment.

Indicators: existence of the protocol (1st semester 2022 with the creation of a working group)

Proposal 1.4:

Include equal pay in both protocols.

Objective: to put in place a framework that guarantees equal treatment.

Indicators: existence of the two protocols (2021 - 1st semester 2022 for the second protocol)

Proposal 1.5:

Encourage women to apply for the PEDR.

Objective: to rebalance applications for the PEDR

Indicators: percentage of female candidates (period 2021-2023 then annually)

Proposal 1.6:

Encourage women to apply for the hors classe of associate professors

Objective: to rebalance the number of applications for promotion to the "hors classe

Indicators: percentage of female candidates (2021 then annual)

2- guarantee equal access to service bodies, job categories, grades and jobs

In the course of the analysis of structural wage differentials carried out in the first part of point 1, we noted that they were mainly explained by elements that were a priori objective, but systematically unfavorable to women. It is indeed at the level of access to bodies/grades that inequality of treatment occurs.

At INSA Strasbourg, according to our study, we find this effect at the level of category B BIATSS, with women first passing through category C, and then finding themselves in category B at lower salary levels than men, with comparable seniority, due to the reclassification rules.

The success of the professional equality policy therefore depends on two major axes:

The first axis consists of encouraging a change in the attitudes and behaviors of everyone (employers, managers, HR managers, staff representatives and all employees) afin order to fight against stereotypes and the discrimination that results from them.

As we have seen, INSA Strasbourg is marked by a strong male presence specific to higher education, but reinforced by the still very male nature of the majority of its courses. It is therefore necessary to try to change this preconception.

It is therefore necessary to deploy appropriate communication :

Proposal 2.1:

All internal and external communications and recruitment campaigns will be subject to sustained attention (choice of texts and iconography)

Objective: not to convey stereotypes that could undermine professional equality and the gender mix in sectors and jobs

Indicators: establishment of general principles for the school's communication on gender issues (2021-2023 period with the creation of a working group)

Proposal 2.2:

The school's communication on professions will focus on promoting women's access to professions that are still too often perceived as masculine and men's access to professions that are still too often perceived as feminine.

Objective: policy to promote gender diversity in the professions

Indicators: unbundled drafting of communication on professions (2021-2023 period)

Proposal 2.3:

Job offers should favor titles that do not refer to a specific gender (e.g. technician) or always ensure that the specification "(F/H)" is added.

Job descriptions for competitive and non-competitive positions should be gender-neutral and addressed equally to women and men. The skills, level of education, qualifications and experience required must be specified and correspond to the needs of the position.

Objective: policy to promote gender diversity in the workplace

Indicators: gender-neutral drafting of job offers (2021 then annually)

Proposal 2.4

We must also put in place an approach to verify the non-discriminatory nature of recruitment processes. Recruitment is one of the essential levers.

Objective: to promote greater gender diversity in the workplace

Indicators: measure the gender gap between the applications submitted and those selected for an interview (2021, then annually)

Proposal 2.5:

Gendered statistics on applicants registered, present, eligible and admitted should be published at the end of competitive recruitment procedures. The same work will be carried out for internal promotion channels.

Objective: to promote greater gender diversity in employment

Indicators: assessment of recruitment processes (2021 then annually)

Proposal 2.6:

SRH will be required to ensure that members of competitive examination, recruitment, or selection boards are able to report on their evaluation.

Objective: To promote the impartiality of panels

Indicators: review of objective recruitment criteria and choices by means of a jury report (during 2021)

Proposal 2.7:

In order to ensure a balanced composition of juries, the law requires that each jury and selection committee must respect a minimum proportion of 40% of each gender among its members.

INSA Strasbourg undertakes to respect this proportion for all its recruitment juries, including non-tenured members (and therefore at least one man or at least one woman in juries of three people, taking care to respect an alternation to reach 40% overall).

Objective: avoid gender imbalances in the composition of juries

Indicators: assessment of the gender composition of juries will be included in the annual report (2021 then annual)

The second priority is to facilitate equal access for women and men to training courses in order to promote their career development

The aim is to provide better support for women's career paths within the civil service, focusing on the main stages of the career path (preparation for competitive examinations, recruitment, training, promotion and transfer), and endeavoring to verify, at each of these stages, that this principle is satisfactorily taken into account by public employers for all employees in the three branches of the civil service, regardless of their status.

Proposal 2.8:

The management guidelines will take into account the issues of equal treatment between women and men in promotions.

Objective: to promote equitable career development

Indicators: mention of professional equality in the management guidelines for promotions (beginning of 2021)

Proposal 2.9:

In order for this policy to produce its effects, awareness-raising actions on the prevention of discrimination and stereotypes relating to professional equality will be carried out for all employees,

Objective: deconstruct preconceived ideas and raise awareness of existing discrimination

Indicators: number of actions organized and followed by all staff (2021-2023 period)

Proposal 2.10:

Raise the awareness of those called upon to carry out recruitment and conduct professional and assessment interviews on the issues of preventing discrimination and stereotypes relating to professional equality.

Objective: deconstruct preconceived ideas and raise awareness of existing discrimination

Indicators: number of training sessions organized and attended by managers (2021-2023 period)

Professional training is essential for career development. Equal access for women to professional training should be facilitated.

Proposal 2.11:

In addition, INSA Strasbourg, like other public employers, undertakes to systematically offer employees - women and men -, after an interruption of at least six months in their work at INSA, training to adapt to the job, so that they can return to their duties in the best possible conditions.

Objective: to improve the conditions for returning to work

Indicators: Systematic proposal (from 2021)

In order to verify the reality of these commitments, each year the school must present to the technical committee gender-specific data concerning the advancement of grades and promotions of public employees. This data will be included in the comparative situation report as part of the social report.

3- encourage the articulation between professional activity and personal and family life

INSA Strasbourg is committed to implementing measures to guarantee equal rights in the development of their careers, regardless of the status of the employees, whether permanent or temporary, within the limits of its resources, both financial and regulatory.

Women's careers are more marked by part-time work and career breaks, particularly for parental leave or personal leave to raise a child under the age of 8. Indeed, 82% of part-time positions are held by women in the civil service (over 900,000 positions). 23% of female civil servants work part-time, compared to 5% of male civil servants. In the FPE, 94.5% of civil servants on parental leave are women; in the FPT, 96% are women. These interrupted careers slow down women's career progression and contribute to professional and salary inequalities, which are particularly significant at the end of their careers.

Proposal 3.1:

INSA Strasbourg ensures that part-time employees benefit from a career path comparable to that of full-time employees.

Objective: to promote equitable career development

Indicators: the management guidelines for promotion will specify that part-time work should not affect career development (beginning of 2021).

Maternity leave, paternity leave, pregnancy-related illness and adoption leave must not affect career progression or pay. The procedures for assessing service (evaluation, awarding of bonuses) must not result in the employees concerned being penalised during the periods of absence or because of the absence due to the leave.

The work of the Defender of Rights with the DGAFP in 2015 showed that the birth of a child is an important factor in accounting for salary inequalities between women and men. The reduction in women's working hours (switching to part-time work, reduction in overtime) following childbirth is the main cause of the negative effect of childbirth on their daily wages and the major reason why motherhood can contribute to widening the pay gap between women and men, since fatherhood only slightly modifies the latter's labor supply.

Proposal 3.2:

INSA Strasbourg ensures that employees who have taken maternity or paternity leave enjoy a career path comparable to that of other employees.

Objective: to promote equitable career development

Indicators: the management guidelines for promotion will specify that absences related to maternity and paternity should not affect career development (beginning of 2021).

Proposal 3.3:

Maternity and paternity-related absences will not be taken into account when awarding year-end bonuses.

Objective: to promote equitable career progression

Indicators: The bonus distribution instructions will specify that absences related to maternity and paternity should not affect the amount of the bonus (2021 then annual).

It is the social responsibility of public employers to use the levers available to them to promote a better balance and sharing of work and personal life, regardless of the family or personal situation of employees. Family-related leave, working hours, childcare, housing and transportation are all elements to be taken into account in the overall reflection on professional equality and in human resources management.

It is also important to inform employees about the national rules governing the management of bodies and the effects of family leave on career development.

Employees are not sufficiently informed about the impact of taking different family leaves, active or part-time positions on their career and, in the longer term, on their pension rights.

Indeed, the choice for an agent to take parental leave, family solidarity leave (in the case of caring for ascendants or relatives in fincé of life), parental presence leave (in the case of sick or handicapped children), to ask for availability to raise a child under 8 years of age or to ask for part-time work must be made in full knowledge of the consequences of his or her decision on his or her career and, eventually, on the amount of his or her pension.

Consequently, better support for employees requesting family leave must be put in place.

Proposal 3.4:

Inform agents about the various existing family leaves and their regulatory effects.

Objective: to provide agents with access to complete information

Indicators: completion of the HR sections of the internal pages (during 2021)

Proposal 3.5:

A professional interview will be offered to each agent before he or she leaves and before he or she returns to work. This interview should help prepare the employee's return to work as well as possible. The objective is to guide the person in his or her professional development, to identify his or her training needs and the actions to be planned to meet them. For example, technical skills upgrading may be necessary after a long period of inactivity.

Objective: to provide employees with access to useful information to prepare for their departure and return.

Indicators: number of interviews offered (starting in 2021)

The organization of working hours must promote a better balance between professional and personal life.

Time management charters lead to the close involvement of employees and their representatives in the implementation of working time regulations.

The charters must allow for better consideration of the impact of information and communication technologies on working conditions and personal life, and specify how the right to disconnect is to be implemented. They must also ensure that the organization of work meets the needs of users.

The elaboration of working time charters and their regular monitoring are necessarily a key part of social dialogue. At INSA Strasbourg, this work has already been carried out for the BIATSS and has taken concrete form in the document on the organization of working time and the use of Hamac software.

The system of nine half-days to complete the work week is a tool for reconciling professional and personal life that is already in place.

Telecommuting is also already in place and can be an additional lever.

The half-day for personal reasons for teachers is the equivalent for this sector.

Proposal 3.6:

Formalize the right to disconnect at school on the national model.

Objective: preserve personal and family life

Indicators: drafting of a right to disconnect (during 2021)

Proposal 3.7:

Specify in email signatures that no response will be expected outside of work hours.

Objective: preserve personal and family life

Indicators: creation of an electronic signature template (early 2021).

Proposal 3.8:

Develop a working time charter for teaching and research.

Objective: to establish a working framework that allows all teachers and researchers to refer to it, in the same spirit as that which exists for the BIATSS

Indicators: drafting of the charter (2022 with constitution of a working group)

Proposal 3.9:

Raise awareness internally about the need for work-life balance and deconstruct gender stereotypes, particularly among managers.

Objective: preserve personal and family life and encourage greater job diversity

Indicators: number of training sessions and number of people enrolled (2021-2023 period)

4- prevent and deal with discrimination, acts of violence, moral or sexual harassment and sexist behaviour.

Reminder of the regulations in force :

As stipulated in the law of July 13, 1983, "The public authority is obliged to protect civil servants against threats, violence, assault, insults, defamation or insults of which they could be victims during their duties, and to compensate, if necessary, for the resulting damage."

The law of August 6, 2012 on sexual harassment now sets a new definition of sexual harassment in the penal code, the labor code and the law of July 13, 1983 on the rights and obligations of civil servants.

Thus, it is affirmed that no public employee shall suffer the facts :

- either sexual harassment, consisting of repeated comments or behavior with a sexual connotation that either undermine their dignity because of their degrading or humiliating nature, or create an intimidating, hostile or offensive situation against them;
- or are considered sexual harassment, consisting of any form of serious pressure, even if not repeated, exercised with the real or apparent aim of obtaining an act of a sexual nature, whether it is sought for the profit of the perpetrator or for the profit of a Personnel.

No measure concerning, in particular, recruitment, tenure, training, grading, discipline, promotion, assignment and transfer may be taken with respect to a staff member :

- because he/she has been subjected to or refused to be subjected to the sexual harassment mentioned above, even if the remarks or behavior have not been repeated;
- because he or she has filed a complaint with a superior or taken legal action to put an end to the harassment;
- or because he or she has testified to or reported such conduct.

Any agent who has carried out or ordered to be carried out the acts of sexual harassment mentioned above shall be liable to disciplinary action, without prejudice to the criminal penalties that may otherwise be applied, in accordance with the provisions of the Penal Code.

In addition, the law of August 6, 2012 amends Article 222-33-2 of the Penal Code relating to moral harassment by specifying that the fact of harassing others through repeated acts with the purpose or effect of degrading working conditions likely to undermine their rights and dignity, alter their physical or mental health or compromise their professional future, is now punishable by two years' imprisonment and a fine of 30,000 euros.

Finally, article 222-33-2-2 defines online harassment, which is harassment carried out via the Internet or by text message (on a social network, a forum, a multi-player video game, a blog...). It is also called cyber harassment.

The remarks in question can be comments from Internet users, videos, image editing, messages on forums... Online harassment is punished whether the exchanges are public (on a forum for example) or private (between friends on a social network).

Training of agents

Information, initial and ongoing training for public employees is of strategic importance in preventing harassment and other forms of violence. Moreover, training is complementary to the measures implemented by the prevention actors in the public service on the subject.

To this end, specific training courses to better understand, prevent and deal with sexual and moral harassment have been set up by public employers.

Proposal 4.1:

Add the topic to the 2021 continuous staff training program for human resources and management staff.

Indeed, the legal obligations resulting from the law of August 6, 2012 must be integrated into all acts of human resources management and management and concern more particularly the protection of public servants, the obligation to report, the care of the victim and the sanctions incurred.

Objective: to train staff in charge of HR missions on the subject.

Indicators: number of employees who have taken the dedicated training courses (period 2021-2023)

Proposal 4.2:

Plan awareness-raising activities and add the topic to the ongoing training program for staff in 2021.

Objective: to promote permanent awareness among all employees of the issue of preventing and combating harassment and discrimination.

Indicators: number of actions proposed and number of employees who have taken the dedicated training courses (2021-2023 period)

Prévenir et prendre en charge les violences faites aux agents sur leur lieu de travail

The employer has the obligation to prevent violence by all appropriate measures in the workplace, to take charge of the situation, if necessary, and to refer cases of harassment and violence to the prevention actors.

Proposal 4.3:

INSA Strasbourg will set up a system to deal with acts of violence, discrimination, moral or sexual harassment and sexist behaviour.

This system will include, in accordance with the procedure set out in Decree n° 2020-256 of March 13, 2020:

1° A procedure for collecting reports made by employees who consider themselves victims or witnesses of such acts or behaviour;

2° A procedure for referring employees who consider themselves victims of such acts or behaviour to the competent services and professionals responsible for their support and assistance;

3° A procedure for referring employees who consider themselves to be victims or witnesses of such acts or behaviour to the competent authorities in order to take all appropriate functional protection measures and to ensure that the facts reported are dealt with, in particular by conducting an administrative investigation.

A dedicated working group will propose the procedure according to the model of the decree.

INSA Strasbourg will inform employees of the existence of this system, as well as the procedures it provides and the terms and conditions defined, so that employees can have access to it.

Objective: to provide an effective response to acts of violence, discrimination, moral or sexual harassment and gender-based violence

Indicators: complete system in place (end of the first half of 2021, with the creation of a working group).